



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FOX *et al.*

Appl. No.: 10/695,445

Filed: October 29, 2003

For: **Systems and Methods for  
Recommending Business Decisions  
Influenced by Weather Elements**

Confirmation No.: 4563

Art Unit: 3623

Examiner: Jarrett, Scott L.

Atty. Docket: 1481.0310000

**Information Disclosure Statement**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

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Atty. Docket: 1481.0310000

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the

mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the

mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign

office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

- ☒ 6. A concise explanation of the relevance of the non-English language documents AJ1 and AK1 appears below in accordance with 37 C.F.R. § 1.98(a)(3).

Document AJ1 appears to describe a weather condition forecasting method and device, as indicated by its English language abstract, enclosed as document AP1.

Document AK1 appears to describe a weather prediction support method, device, and storage medium recording program thereof, as indicated by its English language abstract, enclosed as document AQ1.

- ☒ 7. Copies of documents AJ1-AL1 and AN1-AQ1 are enclosed. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents and patent application publications cited on the attached Form PTO-1449 are not enclosed.

- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

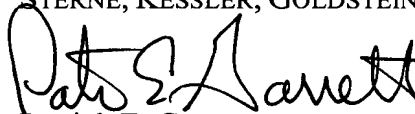
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

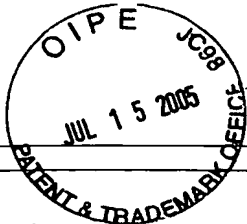


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Date: 7/15/05

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
1481.0310000APPLICATION NO.  
10/695,445FIRST NAMED INVENTOR  
Frederic FOXFILING DATE  
October 29, 2003ART UNIT  
3623**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,654,886	08/1997	Zereski, Jr. <i>et al.</i>			
	AB1	5,673,366	09/1997	Maynard <i>et al.</i>			
	AC1	5,796,611	08/1998	Ochiai <i>et al.</i>			
	AD1	5,978,738	11/1999	Brown			
	AE1	5,999,882	12/1999	Simpson <i>et al.</i>			
	AF1	6,188,960 B1	02/2001	Baron <i>et al.</i>			
	AG1	6,240,369 B1	05/2001	Foust			
	AH1	6,298,307 B1	10/2001	Murphy <i>et al.</i>			
	AI1	6,317,686 B1	11/2001	Ran			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ1	10-96790	04/1998	JP			No
	AK1	11-258359	09/1999	JP			No
	AL1	WO 94/16394	07/1994	PCT			N/A
	AM1						Yes No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

EXAMINER INITIAL	DOC. REF.	CITATION
	AN1	Chen, P.C., "Supercomputer-Based Visualization Systems Used for Analyzing Output Data of a Numerical Weather Prediction Model," ACM, pp. 296-309 (1990).
	AO1	Riordan, D. and Hansen, B.K., "A fuzzy case-based system for weather prediction," <i>Engineering Intelligent Systems</i> , Vol. 10, No. 3, CRL Publishing Ltd., pp. 139-146 (September 2002).
	AP1	English Abstract Page for Japanese Patent Publication No. 10096790, 1 page, data supplied from the esp@cenet database.
	AQ1	English Abstract Page for Japanese Patent Publication No. 11258359, 1 page, data supplied from the esp@cenet database.
	AR1	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,339,747 B1	01/2002	Daly <i>et al.</i>			
	AB2	6,356,842 B1	03/2002	Intriligator <i>et al.</i>			
	AC2	6,418,417 B1	07/2002	Corby <i>et al.</i>			
	AD2	6,496,780 B1	12/2002	Harris <i>et al.</i>			
	AE2	6,498,987 B1	12/2002	Kelly <i>et al.</i>			
	AF2	6,535,817 B1	03/2003	Krishnamurti			
	AG2	6,581,008 B2	06/2003	Intriligator <i>et al.</i>			
	AH2	2002/0026284 A1	02/2002	Brown			
	AI2	2002/0032644 A1	03/2002	Corby <i>et al.</i>			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ2						Yes No
	AK2						Yes No
	AL2						Yes No
	AM2						Yes No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

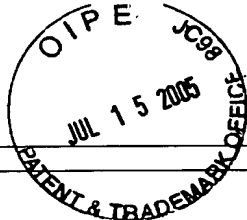
EXAMINER INITIAL	DOC. REF.	CITATION
	AN2	
	AO2	
	AP2	
	AQ2	
	AR2	

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	AA3	2002/0107638 A1	08/2002	Intriligator <i>et al.</i>			
	AB3	2002/0130899 A1	09/2002	Ryan <i>et al.</i>			
	AC3	2002/0133385 A1	09/2002	Fox <i>et al.</i>			
	AD3	2003/0200027 A1	10/2003	Root <i>et al.</i>			
	AE3						
	AF3						
	AG3						
	AH3						
	AI3						

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	AJ3						Yes No
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	AL3						Yes No
	AM3						Yes No

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